

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Request for Review by	)	CC Docket No. 02-6
Chicago Public Schools, Chicago, Illinois,	)	
of Decisions of the Universal Service	)	CC Docket No. 96-45
Administrator	)	
	)	
Schools and Libraries Universal Service	)	FRNs 1678721, 1683005, 1683017,
Support Mechanism	)	1683027, 1690646, 1717982,
	)	1718036, 1718065, and 1730012

**REQUEST FOR REVIEW BY CHICAGO PUBLIC SCHOOLS OF  
DECISIONS OF THE UNIVERSAL SERVICE ADMINISTRATOR**

Chicago Public Schools (“CPS”) respectfully requests, pursuant to Sections 54.719 through 54.723 of the Commission’s rules,<sup>1</sup> that the Commission review Universal Service Administrative Company (“USAC”) decisions denying the above-referenced Funding Request Numbers (“FRNs”). In a series of Funding Commitment Decision Letters (“FCDLs”) issued on March 17, 2009, USAC’s Schools and Libraries Division (the “Division”) denied each of these Funding Year 2008 requests.<sup>2</sup> For the reasons set forth herein, the Commission should grant CPS’s appeal of the Division’s denials and remand the underlying applications to USAC.

**I. Introduction**

CPS is the third largest school district in the United States, educating more than 400,000 students – the vast majority of whom come from low- and moderate-income households. CPS’s 2008 “E-Rate” Funding Year requests submitted under the above-referenced FRNs sought

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<sup>1</sup> 47 C.F.R. §§ 54.719–54.723.

<sup>2</sup> See Funding Commitment Decision Letters of March 17, 2009, to Barton J. Taylor, E-Rate Program Manager, Chicago Public Schools (the “FCDLs”), attached hereto as Appendix A. The FCC Form 471 Application numbers on which the above-referenced FRNs were submitted to USAC, and in response to which the FCDLs denying these funding requests issued, were Funding Year 2008 Form 471 Application Numbers 600949, 601096, 601110, 601134, and 622915. Chicago Public Schools is the Billed Entity for each of these applications, and its Billed Entity Number (“BEN”) is 135749.

support that is made available to eligible schools and libraries under Section 54.506 of the Commission's rules for internal connections and basic maintenance services.<sup>3</sup>

These applications included requests for discounts on services that are critical to the maintenance of CPS's network, with pre-discount total services sought in the amount of \$17,292,412.32.<sup>4</sup> Universal service support received by CPS for these expenditures would go toward servicing computer network facilities including the LAN, WAN, Domain, and Firewall used by CPS. Upkeep of these facilities is critical for the effective delivery of information by CPS and sustained connectivity for the school district's low- and moderate-income students.

On February 6, 2009, nearly a full year after filing its applications but still several weeks before the issuance of any decision on these FRNs, CPS sought to revise block 4 of its still-pending Form 471 Applications. CPS modified block 4 in order to remove some of the school facilities originally included in the funding requests. When it did finally issue its decisions in a series of FCDLs sent to CPS on March 17, 2009, the Division denied CPS's discount requests in their entirety. The stated basis for each denial was as follows:

The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded.<sup>5</sup>

CPS respectfully submits that the Division's decision to deny funding for each of the above-referenced FRNs was in error. As shown herein, CPS's request to modify block 4 of its

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<sup>3</sup> 47 C.F.R. §§ 54.506(a)–(b).

<sup>4</sup> The pre-discount total of \$17,292,412.32 consisted of \$17,052,412.32 sought for basic maintenance of internal connections, *see* 47 C.F.R. § 54.506(b), and \$240,000 for internal connections, *see id.* § 54.506(a).

<sup>5</sup> *See, e.g.*, FCDL of March 17, 2009, issued in response to Form 471 Application 601110, at 3 (Funding Commitment Report).

Form 471 Applications was not a request to revise applications due to any “ministerial or clerical errors” of the type described in the Commission’s *Bishop Perry* decision.<sup>6</sup> Rather, CPS’s requested modifications were submitted during the school district’s participation in the Division’s Program Integrity Assurance (“PIA”) Review and the even more intensive Selective Review process, and were undertaken in consultation with PIA reviewers. During those review processes, in the lengthy thirteen-month time period between submission of CPS’s applications and issuance of the FCDLs, CPS followed the typical Division practice of allowing E-Rate applicants to undertake corrective action prior to issuance of a decision in order to reduce the number of FRNs submitted or the amount of overall funding requested by the applicant.

CPS therefore appeals the Division’s denials, and seeks funding of the respective FRNs based on the 88% discount level to which CPS’s modified applications would entitle the school district, rather than the 86% level cited in the FCDLs. Despite the higher discount level and eligibility percentage as calculated on CPS’s Form 471 Applications as modified, however, CPS does not seek any funding increase or advantage over and above the original amount to which the school district would have been entitled if funding for the requested services had been available at initial 86% discount level.

## **II. Background**

In February 2008, CPS submitted a series of applications on FCC Form 471 for funding from the Schools and Libraries support mechanism, under which eligible schools may apply for discounts for eligible telecommunication services, Internet access, and internal connections.<sup>7</sup>

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<sup>6</sup> See *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School New Orleans, LA, et al.*, 21 FCC Rcd 5316, ¶ 1 (2006) (“*Bishop Perry*”).

<sup>7</sup> See 47 C.F.R. §§ 54.502, 54.503.

During review of the submitted funding requests, CPS's applications went through the Division's PIA Review process. As described by USAC's website, the purpose of such a review is "to verify the accuracy of discount percentages and ensure that support is committed only for eligible products and services."<sup>8</sup> During the course of such reviews, PIA reviewers may request from time to time that the applicant make corrections to various components of an application in order to comply with program rules. Examples of such corrections include, but are not limited to, (1) removing ineligible schools or libraries from the application's block 4 worksheet; (2) making service category adjustments; and (3) making funding request recalculations.

In September 2008, CPS was notified in writing that it had been chosen to undergo the Selective Review process. Selective Review is a separate stage of the PIA process that verifies the certifications applicants make on Form 471 about the competitive bidding process they used to obtain services, as well as the applicant's commitment of the necessary resources to make effective use of requested services.<sup>9</sup> While the Selective Review of CPS's applications was still ongoing, CPS submitted a written request to modify its block 4 worksheet – specifically, a modification to the list of eligible schools and facilities included within the requests for discounted services under the above-referenced FRNs.

The requested modification arose from CPS's discovery, prior to February 2, 2009, and more than six weeks before the issuance of the FCDLs appealed herein, that the "Priority Two"<sup>10</sup> service funding requests submitted on the CPS applications in question likely would not be funded for applicants at the 86% discount level. CPS submitted its modification request via e-

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<sup>8</sup> See Overview of the Process, "Step 8: Undergo Application Review," available at <http://www.universalservice.org/sl/applicants/step08/default.aspx> (last visited April 14, 2009) (emphasis added).

<sup>9</sup> See *id.*

<sup>10</sup> See *id.* at "Step 9: Receive Your Funding Decision," available at <http://www.universalservice.org/sl/applicants/step09/default.aspx> (last visited April 14, 2009); see also 47 C.F.R. § 54.507(g)(1) (explaining procedures for awarding funding to priority two requests).

mail on February 6, 2009, after consultation with the PIA reviewer overseeing the Selective Review process. CPS sought at that time to remove from its applications certain schools located within the district so as to direct E-Rate funding only to the very neediest Chicago Schools which, as a group, would qualify for an 88% discount level and be eligible for Internal Connections discounts in the 2008 funding year.

On March 17, 2009, CPS received notice, via the FCDLs attached as Appendix A to this submission, that its modification requests had been denied, along with all of the funding requested for the “Priority Two” services on the FRNs in question. The Division notified CPS on that date that the school district’s request support in the amount of \$14,665,074.60 had been denied in its entirety.<sup>11</sup> CPS timely requests review of the USAC decision evidenced in the March 17th FCDLs on the grounds described below. In support of its position that the denials were in error, CPS offers the following discussion and documentation.

### **III. Discussion**

#### **A. Division Practices and the Commission’s Precedents Contemplate Allowances for Corrections to Form 471 Applications Made Prior to the Issuance of a Decision.**

Throughout its history of administering the Schools and Libraries mechanism within the Universal Service Fund, the Division has engaged in the practice of consulting with schools during the review process, and it has allowed schools to take corrective actions during that review process when such corrections are made before the issuance of FCDLs.<sup>12</sup> As described above, the CPS applications subject to this appeal were still in review status when CPS submitted its requested block 4 modifications on February 6, 2009. CPS acted at that time simply to

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<sup>11</sup> The amount of funding denied derives from the \$17,052,412.32 pre-discount amount sought by CPS, multiplied by the 86% discount percentage originally calculated by CPS prior to the block 4 modifications made during the lengthy PIA review processes.

<sup>12</sup> See, e.g., *Request for Review of Decisions of the Universal Service Administrator by Grand Rapids Public Schools and Grand Rapids, Michigan*, CC Docket No. 02-6, DA 08-2364, ¶¶ 4-6 (Wireline Competition Bureau rel. Oct. 30, 2008).

remove certain schools previously included on the list of eligible entities seeking funding under the district's 2008 applications, doing so in order to focus available funds on particular Chicago schools that serve the highest percentage of low- and moderate-income students.

The Division did not issue FCDLs until thirty-nine days after CPS submitted its request to modify the list of schools in block 4 for the above-referenced applications and FRNs.

Allowing such modifications comports with the policies and practices of the Commission and USAC, because CPS made the requested modifications to block 4 of its Form 471 applications before the issuance of any FCDL denying funding for these requests.<sup>13</sup> The changes in block 4 of the CPS applications, and the resulting change in discount level for the schools covered by those applications, were made during the initial PIA Review and the Selective Review processes. Thus, these changes did not constitute after-the-fact requests to have CPS's eligibility recalculated using new information presented for the first time on appeal.<sup>14</sup>

The Division has permitted this type of corrective action during the application review stage, and has allowed E-Rate applicants to reduce the number of eligible entities covered by an application or an FRN and/or to reduce the amount of the funding requests included in an application.<sup>15</sup> As indicated above, CPS seeks no funding advantage or increase in funding based on its block 4 modifications, and to the extent necessary submits that USAC could fund the FRNs subject to this appeal at the amount dictated by the discount level calculated in the original Form 471 applications. Nevertheless, USAC should permit the block 4 modifications requested

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<sup>13</sup> See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Joseph Jingoli & Son, Inc. et al.*, 22 FCC Rcd 19227, ¶¶ 2-4 ("Jingoli") (2007) (noting that applicants may cancel or reduce funding requests during the PIA Review process).

<sup>14</sup> See, e.g., *Request for Review of the Decision of the Universal Service Administrator by Gary Community School Corporation*, 17 FCC Rcd 5993, ¶ 10 (2002).

<sup>15</sup> See, e.g., *Jingoli*, ¶ 2; see also *Request for Review of the Decision of the Universal Service Administrator by Oklahoma City Public Schools*, 17 FCC Rcd 23501, ¶ 3 (2002); see generally "Step 7: Form 471 Receipt Acknowledgement Letter," available at <http://www.universalservice.org/sl/applicants/step07/receipt-acknowledgement-letter.aspx> (last visited April 14, 2009).

by CPS in order to allow for a reduction in the number of schools included within the above-referenced FRNs, and should recognize the resulting change in CPS's discount level for purposes of determining funding eligibility and priority.

In sum, the CPS applications were in PIA Review from February 2008 through September 2008, then Selective Review from September 2008 until issuance of the FCDLs on March 17, 2009. When CPS submitted its request for corrections on February 6, 2009, the applications were still under review, in a stage when corrections to an applicant's submitted Form 471 applications typically may take place, whether via request by the PIA reviewer or on the applicant's own initiative. USAC should reverse the Division's decision to deny funding in the March 17th FCDLs, and should grant CPS's funding requests for the vital basic maintenance services and internal connections covered by the above-referenced applications.

B. The Timing of the Decision, and the Length of Time Taken to Issue that Decision, Caused Undue Financial Hardship for CPS.

In addition to the outcome, the timing of this decision also causes CPS great concern. As mentioned above, CPS's applications in this instance were under review for more than thirteen months before the Division issued FCDLs. The majority of the services for which CPS sought funding are in the basic maintenance category, and consist of services that are critical to continued operation of existing facilities that cannot be delayed for over a year pending E-Rate funding decisions. Many of these services include maintenance of vital network components that help CPS provide connectivity to its students, a majority of whom are low- and moderate-income children that depend on the schools for technology access.

The Division finally issued a decision on CPS's applications nine months into the 2008 funding year, causing a financial quagmire for both the school district and the vendors eligible for discounts. Many of the vendors providing services to CPS "floated" their costs for doing so

pending the Division’s decision, because these vendors believe in complying with the spirit of the program and the Act’s mandate to “enhance . . . access to advanced telecommunications and information services for all public and non-profit elementary and secondary school classrooms . . . .”<sup>16</sup> However, continually experiencing such lengthy delays in funding decisions ultimately would result in increased costs for schools and for the entire E-Rate program, as vendors will be encumbered by increased financial charges due to the extended length of time it takes to receive payment while awaiting the issuance of an FCDL on requested discounts. Telecommunications providers and vendors who themselves invest significant resources to offer the lowest costs possible to schools and libraries in the E-Rate program also are placed at risk because of long review times, infrequent funding status updates, and timing of adverse funding decisions that are issued so far into the contract that most services have already been performed.

Although the modifications to block 4 requested by CPS in this instance did not consist of the type of ministerial corrections contemplated by *Bishop Perry*, the policy justifications and rationale for granting CPS’s appeal are the same as those espoused in that decision. As was true for the E-Rate applicants in *Bishop Perry*, “the complete rejection of each of these applications is not warranted” because “there is no evidence of waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements” and “denial of funding in these cases would inflict undue hardship on the applicants.”<sup>17</sup> In other words, “rigid compliance with USAC’s application procedures does not further the purposes of section 254(h) or serve the public interest”<sup>18</sup> in this instance, as such rigid compliance would result in decreased technology, connectivity, and educational opportunities for the neediest students served by CPS.

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<sup>16</sup> 47 U.S.C. § 254(h)(2)(A).

<sup>17</sup> *Bishop Perry*, ¶ 14.

<sup>18</sup> *Id.*



#### **IV. Conclusion**

In seeking to modify its applications, CPS acted in the interest of its neediest students and within the spirit of the rules for the Schools and Libraries mechanism. CPS submitted corrections to block 4 of its applications not to gain a funding advantage, but to focus E-Rate funds for which it should be eligible on schools serving the majority of the low- and moderate-income students within the school district. CPS faces fiscal hardships similar to those faced by many large, urban districts. Despite those hardships, CPS made a decision to reduce the number of schools covered by its Form 471 applications and the associated FRNs. It did so to ensure that students at schools with the greatest need would continue to have access to all available connectivity, in order to enhance learning opportunities for those students, and in spite of the increased financial commitments borne by CPS as a result.

Based on the foregoing, CPS requests that the Commission permit CPS's request to modify a block 4 of the above-referenced applications, and remand the affected applications to USAC for funding based on the corrected discount rate for eligibility purposes, but in an amount not to exceed the original support requested in order to ensure that CPS does not receive increased funding as a result of this appeal.

Respectfully submitted,

/s/ Matthew F. Wood

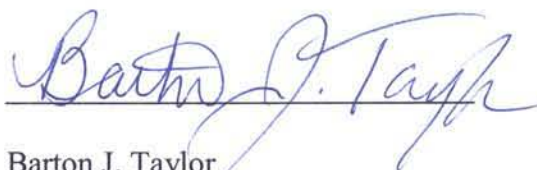
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April 15, 2009

## VERIFICATION

I, Barton J. Taylor, E-Rate Program Manager for the Chicago Public Schools, declare that I have read the foregoing Request for Review of Decisions of the Universal Service Administrator, and hereby verify under penalty of perjury that, to the best of my knowledge, information, and belief, the facts set forth therein are true and correct.

A handwritten signature in blue ink, reading "Barton J. Taylor", written over a horizontal line.

Barton J. Taylor  
E-Rate Program Manager  
Chicago Public Schools  
125 S. Clark Street, 3rd Floor  
Chicago, IL 60603  
(773) 553-1300

April 15, 2009

## **APPENDIX A**

Funding Commitment Decision Letters of March 17, 2009,  
Issued to Chicago Public Schools in response to 2008 Funding Year  
Form 471 Application Numbers 600949, 601096, 601110, 601134, and 622915



Universal Service Administrative Company

Schools and Libraries Division

**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2008: 07/01/2008 - 06/30/2009)

March 17, 2009

Barton J. Taylor  
CHICAGO PUBLIC SCHOOLS  
125 S CLARK ST, 3RD FLOOR  
CHICAGO, IL 60603

Re: Form 471 Application Number: 600949  
Billed Entity Number (BEN): 135749  
Billed Entity FCC RN: 0008008971  
Applicant's Form Identifier: YR11-471-Maint1-CPS

Thank you for your Funding Year 2008 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$1,504,140.00 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

**TO APPEAL THIS DECISION:**

You have the option of filing an appeal with the SLD or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 600949 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2008," AND
  - The exact text or the decision that you are appealing.

3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company

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FUNDING COMMITMENT REPORT  
Billed Entity Name: CHICAGO PUBLIC SCHOOLS  
BEN: 135749  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 600949  
Funding Request Number: 1690646  
Funding Status: Not Funded  
Category of Service: Basic Maintenance of Internal Connection  
Form 470 Application Number: 123800000587614  
SPIN: 143007126  
Service Provider Name: Sun Microsystems, Inc.  
Contract Number: 06-250057  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 02/01/2007  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 977889  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,749,000.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$1,749,000.00  
Discount Percentage Approved by the USAC: 86%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/17/2009

Wave Number: 043

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010



Universal Service Administrative Company

Schools and Libraries Division

**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2008: 07/01/2008 - 06/30/2009)

March 17, 2009

Barton J. Taylor  
CHICAGO PUBLIC SCHOOLS  
125 S CLARK ST, 3RD FLOOR  
CHICAGO, IL 60603

Re: Form 471 Application Number: 601096  
Billed Entity Number (BEN): 135749  
Billed Entity FCC RN: 0008008971  
Applicant's Form Identifier: YR11-471-Maint3-CPs

Thank you for your Funding Year 2008 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$1,864,813.68 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

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**TO APPEAL THIS DECISION:**

You have the option of filing an appeal with the SLD or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 601096 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2008," AND
  - The exact text or the decision that you are appealing.



3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

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To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

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Schools and Libraries Division  
Universal Service Administrative Company



FUNDING COMMITMENT REPORT  
Billed Entity Name: CHICAGO PUBLIC SCHOOLS  
BEN: 135749  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 601096  
Funding Request Number: 1678721  
Funding Status: Not Funded  
Category of Service: Basic Maintenance of Internal Connection  
Form 470 Application Number: 154830000544168  
SPIN: 143024292  
Service Provider Name: Quantum Crossings, Inc.  
Contract Number: 05-250046  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 02/02/2006  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 964922  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,168,388.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$2,168,388.00  
Discount Percentage Approved by the USAC: 86%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/17/2009

Wave Number: 043

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2008: 07/01/2008 - 06/30/2009)

March 17, 2009

Barton J. Taylor  
CHICAGO PUBLIC SCHOOLS  
125 S CLARK ST, 3RD FLOOR  
CHICAGO, IL 60603

Re: Form 471 Application Number: 601110  
Billed Entity Number (BEN): 135749  
Billed Entity FCC RN: 0008008971  
Applicant's Form Identifier: YR11-471-Maint4-CPS

Thank you for your Funding Year 2008 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$10,326,923.28 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

**TO APPEAL THIS DECISION:**

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1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 601110 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2008," AND
  - The exact text or the decision that you are appealing.

3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

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To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

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Schools and Libraries Division  
Universal Service Administrative Company

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHICAGO PUBLIC SCHOOLS  
BEN: 135749  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 601110  
Funding Request Number: 1683005  
Funding Status: Not Funded  
Category of Service: Basic Maintenance of Internal Connection  
Form 470 Application Number: 169180000543051  
SPIN: 143007126  
Service Provider Name: Sun Microsystems, Inc.  
Contract Number: 05-250034  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 09/20/2005  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 970290  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,826,964.20  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$5,826,964.20  
Discount Percentage Approved by the USAC: 86%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/17/2009

Wave Number: 043

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHICAGO PUBLIC SCHOOLS  
BEN: 135749  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 601110  
Funding Request Number: 1683017  
Funding Status: Not Funded  
Category of Service: Basic Maintenance of Internal Connection  
Form 470 Application Number: 169180000543051  
SPIN: 143007126  
Service Provider Name: Sun Microsystems, Inc.  
Contract Number: 05-250034  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 09/20/2005  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 970290  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$285,832.80  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$285,832.80  
Discount Percentage Approved by the USAC: 86%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/17/2009  
Wave Number: 043  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

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FUNDING COMMITMENT REPORT  
Billed Entity Name: CHICAGO PUBLIC SCHOOLS  
BEN: 135749  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 601110  
Funding Request Number: 1683027  
Funding Status: Not Funded  
Category of Service: Basic Maintenance of Internal Connection  
Form 470 Application Number: 169180000543051  
SPIN: 143007126  
Service Provider Name: Sun Microsystems, Inc.  
Contract Number: 05-250034  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 09/20/2005  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 970290  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,895,253.32  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$5,895,253.32  
Discount Percentage Approved by the USAC: 86%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/17/2009

Wave Number: 043

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010



**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2008: 07/01/2008 - 06/30/2009)

March 17, 2009

BartonJ. Taylor  
CHICAGO PUBLIC SCHOOLS  
125 S CLARK ST, 3RD FLOOR  
CHICAGO, IL 60603

Re: Form 471 Application Number: 601134  
Billed Entity Number (BEN): 135749  
Billed Entity FCC RN: 0008008971  
Applicant's Form Identifier: YR11-471-IntConn4-CPS

Thank you for your Funding Year 2008 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$206,400.00 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
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- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

**TO APPEAL THIS DECISION:**

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1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 601134 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2008," AND
  - The exact text or the decision that you are appealing.

3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
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Schools and Libraries Division  
Universal Service Administrative Company



FUNDING COMMITMENT REPORT  
Billed Entity Name: CHICAGO PUBLIC SCHOOLS  
BEN: 135749  
Funding Year: 2008

Comment on RAL corrections: Doolittle Inter & Upper School(entity # 70246) has been removed from Block 4 Worksheet, of the Form 471 application at the request of the applicant.

Form 471 Application Number: 601134  
Funding Request Number: 1730012  
Funding Status: Not Funded  
Category of Service: Internal Connections  
Form 470 Application Number: 123800000587614  
SPIN: 143007126  
Service Provider Name: Sun Microsystems, Inc.  
Contract Number: 06-250057  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 02/01/2007  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 1004797  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$240,000.00  
Pre-discount Amount: \$240,000.00  
Discount Percentage Approved by the USAC: 86%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/17/2009

Wave Number: 043

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010



Universal Service Administrative Company

Schools and Libraries Division

**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2008: 07/01/2008 - 06/30/2009)

March 17, 2009

Barton J. Taylor  
CHICAGO PUBLIC SCHOOLS  
125 S CLARK ST, 3RD FLOOR  
CHICAGO, IL 60603

Re: Form 471 Application Number: 622915  
Billed Entity Number (BEN): 135749  
Billed Entity FCC RN: 0008008971  
Applicant's Form Identifier: YR11-471-Maint5-CPS

Thank you for your Funding Year 2008 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$969,197.64 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

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  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 622915 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2008," AND
  - The exact text or the decision that you are appealing.

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Schools and Libraries Division  
Universal Service Administrative Company

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHICAGO PUBLIC SCHOOLS  
BEN: 135749  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 622915  
Funding Request Number: 1717982  
Funding Status: Not Funded  
Category of Service: Basic Maintenance of Internal Connection  
Form 470 Application Number: 283530000543508  
SPIN: 143008231  
Service Provider Name: Sentinel Technologies, Inc.  
Contract Number: 05-250035  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 02/10/2006  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 998033  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$62,300.04  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$62,300.04  
Discount Percentage Approved by the USAC: 86%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/17/2009

Wave Number: 043

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHICAGO PUBLIC SCHOOLS  
BEN: 135749  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 622915  
Funding Request Number: 1718036  
Funding Status: Not Funded  
Category of Service: Basic Maintenance of Internal Connection  
Form 470 Application Number: 283530000543508  
SPIN: 143008231  
Service Provider Name: Sentinel Technologies, Inc.  
Contract Number: 05-250035  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 02/10/2006  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 998033  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$875,646.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$875,646.00  
Discount Percentage Approved by the USAC: 86%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/17/2009  
Wave Number: 043  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010

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FUNDING COMMITMENT REPORT  
Billed Entity Name: CHICAGO PUBLIC SCHOOLS  
BEN: 135749  
Funding Year: 2008

Comment on RAL corrections: The applicant did not submit any RAL corrections.

Form 471 Application Number: 622915  
Funding Request Number: 1718065  
Funding Status: Not Funded  
Category of Service: Basic Maintenance of Internal Connection  
Form 470 Application Number: 283530000543508  
SPIN: 143008231  
Service Provider Name: Sentinel Technologies, Inc.  
Contract Number: 05-250035  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 02/10/2006  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 998033  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$189,027.96  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$189,027.96  
Discount Percentage Approved by the USAC: 86%  
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded  
Funding Commitment Decision Explanation: DR1: The applicant's request to revise block 4 of the 471 application could not be processed because the request was not received within the required 15-day timeframe for receiving clerical and ministerial error corrections as stated in the FCC's Bishop Perry Order (FCC 06-54). As a result of the request being made outside of the allowable time, the discount will remain at 86%. <><><><><> DR2: Given Program demand, the funding cap will not provide for Internal Connections and/or Basic Maintenance of Internal Connections at your approved discount level to be funded. Please see <http://www.universalservice.org/sl/> for further details.

FCDL Date: 03/17/2009

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Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010